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Docket No. 0756-0958

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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SEP 30 1997

GROUP 2500

In re PATENT application of

Shunpei YAMAZAKI et al.

Serial No. 08/183,800

Filed: January 21, 1994

For: SEMICONDUCTOR MATERIAL

AND METHOD FOR FORMING

THE SAME AND THIN FILM

TRANSISTOR

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on 9/16/97

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Ingeborg J. Alexander

Sir:

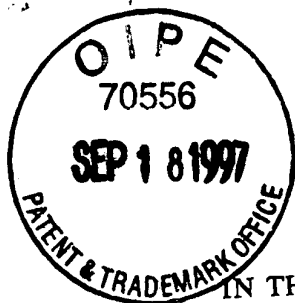
Transmitted herewith is a Terminal Disclaimer in the above-identified application. A check in the amount of \$110.00 to cover the fee under 37 CFR 1.20(d) is enclosed. The Commissioner is hereby authorized to charge any fees which may be required now or hereafter, or credit any overpayment, to Deposit Account No. 19-2380 (0756-0958). A duplicate copy of this sheet is attached.

Respectfully submitted,

09/26/1997 GDUCKETT 00000022 08183800
01 FC:148 110.00 DP

Jeffrey L. Costellia
Jeffrey L. Costellia
Reg. No. 35,483

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McLean, Virginia 22102
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For: SEMICONDUCTOR MATERIAL
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) Art Unit: 2508

) Examiner: S. Crane

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GROUP 2500

TERMINAL DISCLAIMERHonorable Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Dr. Shunpei Yamazaki, having a place of business at Semiconductor Energy Laboratory Co., Ltd., 398, Hase, Atsugi-shi, Kanagawa-ken 243 Japan, state that I am authorized to sign on behalf of the assignee of this invention and that the Assignment referred to below has been reviewed and certify that, to the best of my knowledge and belief, the entire right, title and interest in the above-identified application is in the name of Semiconductor Energy Laboratory Co., Ltd. by virtue of an Assignment recorded in the U.S. Patent and Trademark Office at Reel 6133, Frame 0726.

Semiconductor Energy Laboratory Co., Ltd. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent Nos. 5,313,075 and 5,262,654. Semiconductor Energy Laboratory Co., Ltd. hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and prior Patent Nos. 5,313,075 and 5,262,654 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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Docket No. 0756-958

In making the above disclaimer, Semiconductor Energy Laboratory Co., Ltd. does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 35 CFR 1.312, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

September 11, 1997

Date



Name: Shunpei Yamazaki

Title: President

Company Name: Semiconductor Energy
Laboratory Co., Ltd.

TERMINAL DISCLAIMER MEMO

DATE: 10/2/97

APPL. S.N.: 08/183800

EXAMINER Crone

ART UNIT: 2508

FROM: PARALEGAL GROUP 2500

SUBJECT: DECISION ON TERMINAL DISCLAIMER (T.D.) FILED 9/18/97

- ☒ The T.D. is PROPER and has been recorded. (See 14.23) **
- ☐ The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (See 14.24):
- ☐ The recording fee of \$_____ has not been submitted nor is there any authorization in the application file for the use of a deposit account. (See 14.25)
 - ☐ The T.D. does not satisfy Rule 321(b)(3) in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of interest of the business entity represented by the signature) in the application/patent. (See 14.27 & 14.26.1)
 - ☐ The T.D. lacks the enforceable only during the common ownership clause - needed to overcome a double patenting rejection Rule 321(c). (See 14.27.1) See Attachment No. 1, paragraph 1.
 - ☐ It is directed to a particular claim or claims, which is not acceptable since "the disclaimer must be of a terminal portion of the term of the entire patent to be granted." (MPEP 1490) (See 14.26, 14.26.2)
 - ☐ The person who signed the T.D.:
 - ☐ has failed to state his/her capacity to sign for the business entity (See 14.28)
 - ☐ is not recognized as an officer of the assignee (See 14.29 and possibly 14.29.1) See attachment No. 1, paragraph 3.
 - ☐ No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is there reel and frame number specified as to where such evidence is recorded in the Office. 37 CFR 3.73(b) See Attachment No. 3.
 - ☐ No statement specifying that the evidentiary document have been reviewed and that, to the best of the assignee's knowledge and belief title is in the assignee seeking to take action. 37 CFR 3.73(b). See 1140 O.G. 72. See Attachment Nos. 2 & 3.
 - ☐ The T.D. is not signed. (See 14.26, 14.26.3)
 - ☐ The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect. (See 14.32)
 - ☐ The serial number of this application being disclaimed is missing or incorrect. (See 14.26, 14.26.4 or 14.26.5)
 - ☐ The period disclaimed is incorrect or not specified. (See 14.27, 14.27.2 or 14.27.3)
 - ☐ Verified statement needed. See Attachment No. 1, paragraph 4.
 - ☐ T.D. cannot obviate a rejection of double patenting under 35 USC 101. Only judicial (obviousness) double patenting can be obviated by a T.D.
 - ☐ The T.D. date is earlier/latter than the true expiration date. The applicant may provide a substitute T.D.
 - ☐ OTHER

DO NOT MAIL OR FAX THIS MEMO TO THE APPLICANT